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December 27, 2018

Dave Maass
c/o MuckRock News
Dept MR 65888
411A Highland Avenue
Somerville, MA 02144-2516
65888-09408959@requests.muckrock.com

RE: Public Records Request dated December 13, 2018
Our Request No. 18-MCSO-174

Dear Mr. Maass:

This office represents the Marin County Sheriff's Office for 2018 Vigilant Data Sharing Information. Below are your specific requests with our corresponding responses.

Request No. 1: The names of agencies and organizations with which the Agency shares ALPR data.

Response to Request No. 1: Under the California Public Records Act (Cal. Gov't Code §§ 6250, et seq.), a public entity must provide the public access to existing, disclosable public records. However, it does not require public entities to provide information, answer questions, complete submitted documents, or create new documents.

Further, public entities are only required to produce records under the California Public Records Act in response to a request "that reasonably describes an identifiable record or records." (Gov't Code §6253(b).) In order for a request to require production of records, "[u]nquestionably, public records must be described clearly enough to permit the agency to determine whether writings of the type described are under its control." (*California First Amendment Coalition v. Superior Court* (1998) 67 Cal.App.4th 159, 165.)

However, as a courtesy, please find the enclosed documents.

Request No. 2: The names of agencies and organizations from which the Agency receives ALPR data.

Response to Request No. 2: As discussed above, the California Public Records Act (Cal. Gov't Code §§ 6250, et seq.) does not require public entities to provide information, answer questions, complete submitted documents, or create new documents. Rather, it provides members of the public with access to existing public records. However, again, as a courtesy, please see the enclosed documents.

Request No. 3: The names of agencies and organizations with which the Agency shares "hot list" information.

Response to Request No. 3: As noted above, the California Public Records Act (Cal. Gov't Code §§ 6250, et seq.) does not require public entities to provide information, answer questions, complete submitted documents, or create new documents. Rather, it provides members of the public with access to existing public records. However, again, as a courtesy, please see the enclosed documents.

Request No. 4: The names of agencies and organizations from which the Agency receives "hot list" information.

Response to Request No. 4: As previously stated, the California Public Records Act (Cal. Gov't Code §§ 6250, et seq.) does not require public entities to provide information, answer questions, complete submitted documents, or create new documents. Rather, it provides members of the public with access to existing public records. However, again, as a courtesy, please see the enclosed documents.

Further requests: The aggregate number of "detections" (i.e. license plate scans and associated data) collected during 2016.

The aggregate number of detections collected during 2017.

The aggregate number of detections collected during 2018.

The aggregate number of "hits" (i.e. times that a plate on a hotlist was detected) during 2016.

The aggregate number of "hits" during 2017.

The aggregate number of "hits" during 2018.

Response to further requests: As previously stated, the California Public Records Act (Cal. Gov't Code §§ 6250, et seq.) does not require public entities to provide information, answer questions, complete submitted documents, or create new documents. Rather, it provides members of the public with access to existing public records. However, again, as a courtesy, please see the enclosed documents.

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Should you have any questions, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Kerry Gerchow', with a stylized flourish extending to the right.

Kerry Gerchow
Deputy County Counsel

Enclosures